

Appl. No. 09/842,778
Amendment dated March 24, 2004
Reply to Office Action of January 15, 2004

Amendments to the Drawings:

The attached sheets of drawings include changes to Figure 1, and newly added Figure 5. Figure 1 replaces the original sheet of Figure 1. In Figure 1, previously omitted element 18 has been added.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes
New Figure 5

REMARKS/ARGUMENTS

Claims 7-9 remain pending in this application. Further reconsideration is requested.

Drawings

The drawings have been objected to for minor informalities. In particular, the Patent Office asserts that there is no figure containing the steps recited in independent claim 7. Applicant proposes to submit new Figure 5 illustrating the steps recited in claim 7. No new matter has been added.

The Patent Office further asserts that none of the figures illustrate a front panel having a plurality of electrodes. Figure 1 has been modified to include a plurality of electrodes 18. No new matter has been added.

In view thereof, Applicant respectfully requests withdrawal of the objections to the drawings.

Claim Objections

Claim 7 has been objected to for minor informalities. Accordingly, Applicant has corrected the minor informalities, and respectfully requests withdrawal of the claim objections.

35 U.S.C. § 103 Rejection

Claims 7-9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohsawa et al. (U.S. Patent No. 5,939,826) ("Ohsawa") in view of Haraga et al. (U.S. Patent No. 5,126,620) ("Haraga"). In particular, the Patent Office asserts that Ohsawa discloses the invention of independent claim 7 with the exception of Applicant's resin material, in addition to how the claimed resin lens layer is formed. Office Action at page 4, paragraph 10. While the Patent Office alleges that Haraga makes up for the

deficiencies of Ohsawa, Applicant submits that 1) Ohsawa and Haraga, taken singularly or in combination, fail to disclose patentable features recited in the claims, and 2) the combined disclosures of Ohsawa and Haraga do not render the pending claims obvious because there is no motivation, absent the hindsight reconstruction of the present invention, to modify the disclosure of Ohsawa in accordance with the disclosure of Haraga.

1. Failure to Teach Features Recited in the Claim

Ohsawa relates to a plasma display system having a plasma display panel. The display panel has cells S formed on a back plate 1. The cells are coated with phosphors 7, and energy of a ultraviolet ray excites the phosphors 7 to obtain visible lights. Parts of the lights coming out of the phosphor 7 are fed out through a first face panel 3, color filter 4, and second glass panel 6. Col. 6, lines 1-10.

Independent claim 7 recites, inter alia, "coating resin material over said front panel, said resin material including red, green and blue resins corresponding to red, green and blue color regions of said back panel, thereby forming a resin lens layer." The Patent Office asserts that Ohsawa discloses "coating a material (6) over the front panel formed with a plurality of lenses," and relies on column 3, lines 54-63 for support. However, column 3, lines 54-63 merely describes an optical filter, which is designated as element 4, formed of an organic substance for selecting a wavelength of an output light. See, e.g., col. 5, lines 3-5. In contradistinction, the front glass plate 6 of Ohsawa has an optical element (e.g., microprism or microlens). Col. 5, lines 6-8. The optical filter 4 is not the front glass plate 6. Notwithstanding, claim 7 of the present invention requires coating a resin material that includes red, green and blue resins corresponding to red, green and blue color regions of a back panel over a front panel, such that a resin lens layer is formed. Ohsawa fails to disclose, teach or suggest this feature.

Claim 7 further recites, inter alia, "pressing a molding tool against a front surface of said resin lens layer." Since Ohsawa does not teach or suggest a resin lens layer, Ohsawa cannot include this limitation.

Claim 7 recites further, inter alia, "separating said molding tool from said front surface of said resin lens layer, thus forming a plurality of lenses on said resin lens layer, each of said plurality of lenses condensing light from a display cell to the front side of the display panel." Ohsawa does not teach or suggest a resin lens layer, and thus, Ohsawa cannot include this limitation.

Haraga fails to remedy the deficiencies of Ohsawa. Haraga concerns a display element having a front panel 2 with fluorescent screens 5R, 5G, 5B. A condensing lens 14 includes a filter 13 mounted or bonded on the inner side thereof, and a position regulating plate 19. Figure 6.

Among other things, Haraga fails to disclose, teach or suggest "coating resin material over said front panel, said resin material including red, green and blue resins corresponding to red, green and blue color regions of said back panel, thereby forming a resin lens layer," as recited in independent claim 7. The condensing lens 14 of Haraga does not include resin material including red, green and blue resins corresponding to red, green and blue color regions of a back panel. The "condensing lens 36 is formed of glass or plastics which is colored by dyes so that the cores in the places corresponding to the respective pixels are *different from each other*." Col. 10, lines 46-49 (emphasis added). In other words, each area corresponding to a pixel is different from another area in the display element of Haraga. In contradistinction, in the present invention as set forth in independent claim 7, the resin material includes three (3) colored resins: red, green, and blue resins. The resin material including all three colors is coated over the front panel.

Moreover, the glass or plastics is not coated over the front panel 2 of Haraga. The condensing lens is formed on at least the filter 13 and position regulating plate 19. In the present invention, the resin lens layer 14 is coated over the glass front panel 10. See, e.g., Fig. 1.

Finally, Haraga does not teach or suggest "separating said molding tool from said front surface of said resin lens layer, thus forming a plurality of lenses on said resin lens layer, each of said plurality of lenses condensing light from a display cell to the front side of the display panel," as recited in independent claim 7. In a different embodiment, as described in column 10, lines 61-65 and illustrated in Figure 11 of Haraga, the condensing lens 36 is merely formed by separately producing portions corresponding to the pixels 27R, 27G, 27B, and molding at one unit at a time using a three-color molding machine. This step of Haraga does not form a plurality of lenses on a resin lens layer, wherein each of the plurality of lenses condenses light from a display cell to the front side of the display panel.

2. No Motivation to Combine

"When a rejection depends on a combination of prior art references, there must be some teaching, suggestion, or motivation to combine the references." In re Rouffet, 47 USPQ2d 1453, 1456 (Fed. Cir. 1998); see, also e.g., MPEP § 2143.01. Virtually all inventions are combinations of old elements. See In re Rouffet, 47 USPQ2d at 1457. If identification of each claimed element in the prior art were sufficient to negate patentability, the Patent Office could use the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention. Id. To prevent the use of hindsight based on the teachings of the patent application, the Patent Office must show a motivation to combine the references in the manner suggested. Id. at 1457-58.

In Rouffet, the Court of Appeals held that although all elements recited in the claims of Rouffet's application were disclosed in the applied prior art references, the

rejection under 35 U.S.C. § 103 was improper because there was no suggestion as to why one skilled in the art would have been motivated to combine the references in such a manner as to render the claims obvious. Id. at 1457.

The situation is, at best, the same in this case. Even if all elements recited in the pending claims can be found in the combined disclosures of Ohsawa and Haraga, which they cannot, there is no reason that one of ordinary skill in the art would have been motivated to combine these references in such a manner as to render the pending claims obvious. The Office Action states that "[o]ne would be motivated to manufacture Haraga's colored lenses on Ohsawa's PDP for a variety of reasons," and the Patent Office lists three examples. Office Action at page 4, paragraph 12. However, there is absolutely no reason suggested anywhere in the applied references for modifying the Ohsawa and Haraga references. In fact, neither reference teaches or suggests the purported modification and the claimed fabrication method as set forth in independent claim 7. Thus, the proposed modification of Ohsawa and Haraga is no more than a hindsight reliance on the teachings in the present application of the advantages of the present invention.

Based on the foregoing remarks, independent claim 7 cannot be rendered obvious over the combination (or singularly) of the Ohsawa and Haraga references. Hence, the § 103 rejection of claim 7 should be withdrawn.

Dependent claims 8 and 9 depend directly on independent claim 7 and are patentable for at least the same reasons discussed above with respect to claim 7.

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Conclusion

In view of the foregoing, favorable reconsideration of this application and entry of the proposed amendment, withdrawal of all outstanding grounds of rejection, and the issuance of a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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Attachment: Replacement Sheet
Annotated Sheet Showing Changes
New Figure 5

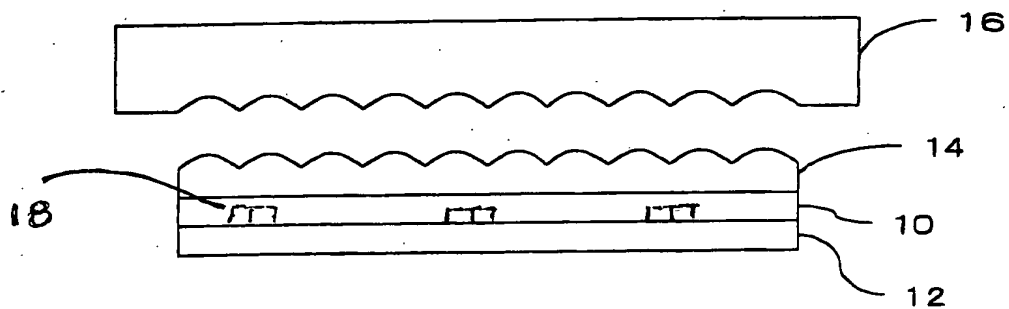


FIG. 1

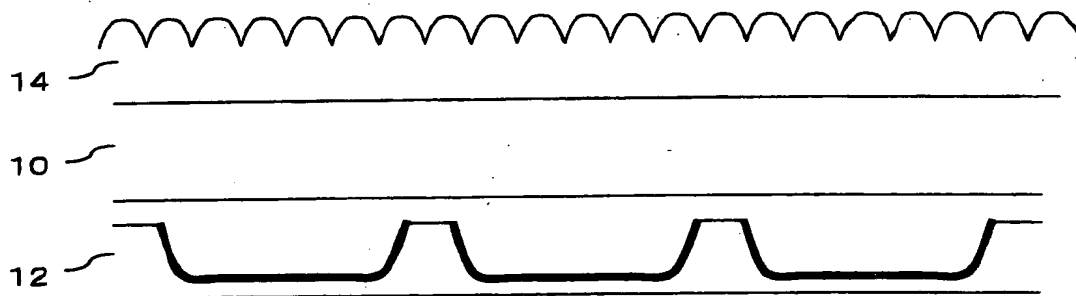


FIG. 2